

PARKER HANSKI LLC

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Via ECF

The Honorable Valerie Figueredo
United States Magistrate Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Application Granted



Valerie Figueredo, U.S.M.J.

DATED: April 21, 2023

Given Plaintiff's request to withdraw his motion to compel without prejudice, the Clerk of Court is directed to terminate the motion at ECF No. 55. Further, in light of the recent developments described herein, **the conference scheduled for Monday, April 24, 2023 is canceled.** The parties may request another conference with the Court should any disputes arise.

Re: *King Range., Jr. v. Canal Studio Corp. and Stadium Enterprises LLC*
Docket No. 1:22-cv-07646(AT)(VF)

Dear Judge Figueredo:

We represent plaintiff, King Range., Jr., in the above-entitled action. We write regarding Plaintiff's motion to compel Defendants to permit Plaintiff's Fed. R. Civ. P. 34 inspection of Defendants' premises. ECF No. 55. For the reasons set forth below, Plaintiff withdraws his motion to compel without prejudice.

Earlier today, defendant Stadium Enterprises LLC, the operator of the premises at issue, Stadium Goods, permitted Plaintiff's expert to inspect its premises. However, defendant Canal Studio Corp., the owner of the building in which Stadium Goods is located, refused to permit Plaintiff's expert to inspect areas of the building under its control that relate to Stadium Goods.

To the extent that Plaintiff determines he requires an inspection of those areas of the building under Canal Studio Corp.'s control, Plaintiff will advise Defendants and issue a notice of inspection pursuant to Fed. R. Civ. P. 34. Should defendant Canal Studio Corp. again frustrate Plaintiff's efforts to inspect the subject property, Plaintiff will renew his motion to compel at that time.

For the reasons set forth above, Plaintiff withdraws his motion to compel without prejudice to

renewing the motion if required. In addition, Plaintiff notes that Your Honor scheduled a conference for April 24, 2023 concerning Plaintiff's motion to compel. ECF No. 58. Plaintiff respectfully asks that the Court advise whether the parties should still appear for the April 24 conference.

Thank you for your time and attention to this matter.

Respectfully submitted,

 /s/
Adam S. Hanski